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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,372	12/12/2001	Keiichi Nakatsugawa	FUJZ 19.241	2888
26304 7590 01/04/2007 KATTEN MUCHIN ROSENMAN LLP 575 MADISON AVENUE NEW YORK, NY 10022-2585			EXAMINER ROSE, KERRI M	
			ART UNIT	PAPER NUMBER
			2616	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/04/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/015,372

Applicant(s)

NAKATSUGAWA ET AL.

Examiner

Kerri M. Rose

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 November 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 4-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 4-13, 15-19 and 22-25 is/are rejected.
- 7) ☒ Claim(s) 14, 20 and 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. The finality of the previous rejection is hereby withdrawn.
2. Applicant's arguments, see page 7, filed 11/13/06, with respect to the rejection(s) of claim(s) 1-25 under 102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found reference Okada (US 2002/0012327)

### ***Claim Objections***

3. Claims 1, 7, 9-12, and 21-23 are objected to because of the following informalities: Each occurrence of "the node" should be changed to "the mobile node". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:  

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claim 25 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claim 25 recites the limitation "the home agent" in the second line. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 4-13, 15-19, and 22-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Okada (US 2002/0012327).

3. In regards to claim 1, Okada discloses a mobile node supporting router in paragraph 155.

The router is between the mobile node and the host and therefore has a home and foreign interface. Paragraphs 150 and 155 and figure 11 further disclose that the binding information includes an association between the home address, care-of-address, and output interface.

4. In regards to claim 4, Okada discloses a lifetime for the binding information in the second half of paragraph 150.

5. In regards to claim 5, the encapsulated packet must travel through the router to reach the interface. Such a route may inherently be called a packet transfer route.

6. In regards to claim 6, the packet must be provided to the output interface in order to be forwarded to the final destination.

7. In regards to claim 7, Okada discloses an example of the binding information as stored in the cache in figure 11.

8. In regards to claim 8, Okada discloses using Mobile IP. Mobile IP defines sending a binding reply packet in response to the binding update packet sent in paragraph 145. The binding reply must travel through a route that may be called a packet transfer route.

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9. In regards to claim 9, a binding reply is sent to the originating node. In order for the reply to reach the node it must be sent through the correct interface, that interface being the one supplied in the encapsulating cache.

10. In regards to claim 10, Okada discloses the mobile node router of claim 1 wherein when the encapsulating cache does not store the binding information of the node upon receiving a packet associated with the node, the processor acquires the binding information from a home agent. Mobile IP specifies that the home agent *always* maintains a current binding. Therefore the current binding is inherently available from the home agent if it was not stored in the encapsulating cache.

11. Claims 11-13 and 15-19 are inherent within Mobile IP.

12. In regards to claim 25, Okada discloses the mobile node router as claimed in claim 1 wherein the home agent is at least either on the home link or included in the home link interface. By definition the home agent must be associated with the home link.

13. In regards to claim 22, Okada discloses in figure 10 a router, which is situated between the home and foreign agents. The router receives the binding messages and maintains the cache of binding information instead of the home agent.

14. In regards to claim 23, Okada discloses using Mobile IP for the binding messages in paragraph 145.

15. In regards to claim 24, Okada discloses the mobile node supporting router as claimed in claim 22 wherein when receiving information necessary for updating binding information which a binding cache of the home agent stores by the mobile IP message, the processor transmits the necessary information to the home agent. Mobile IP specifies that the home agent always

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maintains a current binding. Therefore any binding message must inherently be sent to the home agent.

***Allowable Subject Matter***

16. Claims 14, 20, and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. "Mobile IP" presents a basic overview of the Mobile IP standard. Lee et al. (US 6,915,325) optimizes mobile IP by allowing an intermediate router to intercept and store binding information.

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kerri M. Rose whose telephone number is (571) 272-0542. The examiner can normally be reached on Monday through Thursday, 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (571) 272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

kmr



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